UNITED STATES OF AMERICA
JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

CHAIRMAN:
Judge John G. Heyburn II
United States District Court
Western District of Kentucky

MEMBERS:
Judge D. Lowell Jensen
United States District Court
Northern District of California

Judge J. Frederick Motz
United States District Court
District of Maryland

Judge Robert L. Miller, Jr.
United States District Court
Northern District of Indiana

Judge Kathryn H. Vratil
United States District Court
District of Kansas

Judge David R. Hansen
United States Court of Appeals
Eighth Circuit

Judge Anthony J. Scirica
United States Court of Appeals
Third Circuit

DIRECT REPLY TO:

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July 16, 2007

FILED LODGED RECEIVED MAIL

JUL 20 2007

AT SEATTLE
CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
BY DEPUTY

William T. Walsh, Clerk
1050 Mitchell H. Cohen U.S. Courthouse
400 Cooper Street
Camden, NJ 08102

Re: MDL-1850 -- IN RE Pet Food Products Liability Litigation

(See Attached CTO-1)

Dear Mr. Walsh:

I am enclosing a certified copy and one additional copy of a conditional transfer order filed by the Panel in the above-captioned matter on June 28, 2007. As stipulated in Rule 7.4(a) of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), transmittal of the order has been stayed 15 days to give any party an opportunity to oppose the transfer. The 15-day period has now elapsed, no opposition was received, and the order is directed to you for filing.

The Panel's governing statute, 28 U.S.C. §1407, requires that the transferee clerk "...transmit a certified copy of the Panel's order to transfer to the clerk of the district court from which the action is being transferred."

A list of involved counsel is attached.

C07-575 C07-684
C07-576 C07-685
C07-577
C07-634
C07-666
C07-667
C07-668
C07-669
C07-670

Very truly,

Jeffery N. Lüthi
Clerk of the Panel

By *Thomas Hattimore*
Deputy Clerk

Attachment

cc: Transferee Judge: Judge Noel L. Hillman
Transferor Judges: (See Attached List of Judges)
Transferor Clerks: (See Attached List of Clerks)

07-CV-00575-BCST

Dockets.Justia.com

JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

JUN 2 8 2007

FILED CLERK'S OFFICE

DOCKET NO. 1850

BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

IN RE PET FOOD PRODUCTS LIABILITY LITIGATION

(SEE ATTACHED SCHEDULE)

CONDITIONAL TRANSFER ORDER (CTO-1)

On June 19, 2007, the Panel transferred 12 civil actions to the United States District Court for the District of New Jersey for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. *See* _F.Supp.2d_ (J.P.M.L. 2007). With the consent of that court, all such actions have been assigned to the Honorable Noel L. Hillman.

It appears that the actions on this conditional transfer order involve questions of fact that are common to the actions previously transferred to the District of New Jersey and assigned to Judge Hillman.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the District of New Jersey for the reasons stated in the order of June 19, 2007, and, with the consent of that court, assigned to the Honorable Noel L. Hillman.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the District of New Jersey. The transmittal of this order to said Clerk shall be stayed 15 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 15-day period, the stay will be continued until further order of the Panel.

FOR THE PANEL:

Jeffery N. Lüthi
Clerk of the Panel

Inasmuch as no objection is pending at this time, the stay is lifted.

JUL 1 6 2007

CLERK'S OFFICE
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

SCHEDULE CTO-1 - TAG-ALONG ACTIONS
DOCKET NO. 1850
IN RE PET FOOD PRODUCTS LIABILITY LITIGATION

DIST. DIV. C.A. #	CASE CAPTION
ARKANSAS EASTERN	
ARE 4 07-376	Scott Stacey, et al. v. Nestle SA, et al.
ARKANSAS WESTERN	
ARW 4 07-4036	Kirby Cooper v. Menu Foods Income Fund, et al.
ARW 5 07-5065	Sandra L. Gray, et al. v. Menu Foods, et al.
CALIFORNIA CENTRAL	
CAC 2 07-1987	Paul Randolph Johnson,.et al. v. Menu Foods, Inc., et al.
CAC 2 07-2060	Dawn Howe v. Menu Foods Ltd., et al.
CAC 2 07-2253	Lois Grady, et al. v. Menu Foods Income Fund, et al.
CAC 2 07-2338	Kelly Finestone v. Menu Foods, Inc., et al.
CAC 2 07-2476	Richard Chamberlain v. Nestle SA, et al.
CAC 2 07-2779	Ken Wahl, et al. v. Menu Foods Income Fund, et al.
CAC 2 07-2964	Jayne Englander, et al. v. Menu Foods Income Fund, et al.
CAC 5 07-398	Dennis Lee Townsend, et al. v. Menu Foods Ltd., et al.
CALIFORNIA EASTERN	
CAE 2 07-654	Cheryl Carver v. Del Monte Foods Co., et al.
CALIFORNIA NORTHERN	
CAN 3 07-1809	Sherry Ingles v. Menu Foods, Inc., et al.
CAN 3 07-2665	Diane Lowery v. Menu Foods Income Fund, et al.
CALIFORNIA SOUTHERN	
CAS 3 07-705	Robert Payne, et al. v. Menu Foods, Inc., et al.
CAS 3 07-706	Diane Swarberg v. Menu Foods Holding, Inc., et al.
CAS 3 07-734	Hayley Ford, et al. v. Menu Foods Income Fund, et al.
CAS 3 07-951	John Colliard v. Menu Foods, Inc., et al.
COLORADO	
CO 1 07-736	Emily Tompkins v. Menu Foods Midwest Corp., et al.
FLORIDA MIDDLE	
FLM 2 07-235	Maria Teresa Ferrarese v. Menu Foods, Inc., et al.
FLM 6 07-803	George Birney, et al. v. Menu Foods, Inc.
FLORIDA SOUTHERN	
FLS 1 07-20955	Stephen Donnelly, et al. v. Menu Foods, Inc., et al.
IDAHO	
ID 1 07-160	Larry Klimes, et al. v. Menu Foods
ILLINOIS NORTHERN	
ILN 1 07-2162	Heather Amro v. Menu Foods Income Fund, et al.
ILN 1 07-2183	Gary Bruski v. Menu Foods, Inc., et al.
ILN 1 07-2211	Raymond Demith, et al. v. Nestle Purina Petcare Co., et al.
ILN 1 07-2237	Sonja Foxe v. Menu Foods, Inc., et al.

DIST. DIV. C.A. #	CASE CAPTION	
MASSACHUSETTS		
MA 1 07-10745	Lidia Rodrigues v. Menu Foods, Inc., et al.	
MA 1 07-10797	Megan Connerton, et al. v. Menu Foods Midwest Corp., et al.	
MAINE		
ME 2 07-54	Mara Brazilian v. Menu Foods Income Fund, et al.	
MINNESOTA		
MN 0 07-1808	Stephanie Rozman v. Menu Foods Midwest Corp., et al.	
MN 0 07-2108	Wendy Krosschell v. Menu Foods Income Fund, et al.	
MISSOURI WESTERN		
MOW 3 07-5041	Richard Schwinger v. Menu Foods, et al.	
MISSISSIPPI SOUTHERN		
MSS 5 07-105	Sarah Cavin v. Menu Foods, et al.	
NEVADA		
~~NV 2 07-686~~	~~Maragaret Picus v. Wal-Mart Stores, Inc., et al.~~	Opposed 7-16-07
NV 3 07-159	Marion Streczyn v. Menu Foods, Inc., et al.	
NEW YORK SOUTHERN		
NYS 1 07-3236	Mark Cashman, et al. v. Menu Foods Midwest Corp., et al.	
OHIO NORTHERN		
OHN 1 07-1018	Gregory Boehm v. Menu Foods, Inc., et al.	
PENNSYLVANIA MIDDLE		
PAM 1 07-929	Dixie Keller v. Menu Foods Ltd., et al.	
RHODE ISLAND		
RI 1 07-115	Carol Brown v. Menu Foods, Inc., et al.	
TENNESSEE EASTERN		
TNE 3 07-98	Barbara Light v. Menu Foods Income Fund	
WASHINGTON WESTERN		
WAW 2 07-575	Laura Migliore v. Menu Foods	
WAW 2 07-576	Gail Moran v. Menu Foods	
WAW 2 07-577	Sheryl Puett v. Menu Foods	
WAW 2 07-634	Daniel Ray Reeves v. Menu Foods	
WAW 2 07-666	Sheree A. Robinson v. Menu Foods	
WAW 2 07-667	Phyllis A. Ullman v. Menu Foods	
WAW 2 07-668	Elizabeth Palmer v. Menu Foods	
WAW 2 07-669	Jason Labbate v. Menu Foods	
WAW 2 07-670	Megan Whitt v. Menu Foods	
WAW 2 07-684	Linda Weitz v. Menu Foods	
WAW 2 07-685	Michelle Adams v. Menu Foods	

DIST. DIV. C.A. #	CASE CAPTION
WAW 2 07-686	Lerae Dineen v. Menu Foods
WAW 2 07-687	Sandra Shingle v. Menu Foods
WAW 2 07-688	Gary Thomas v. Menu Foods
WAW 2 07-689	Deborah A. Mullen v. Menu Foods
WAW 2 07-690	Helen Percy v. Menu Foods
WAW 2 07-745	Paula Monk v. Menu Foods
WAW 2 07-746	Tony Boyer v. Menu Foods
WAW 2 07-747	Norman Brenton v. Menu Foods
WAW 2 07-748	Lynda Nagel v. Menu Foods
WAW 2 07-749	Teresa Eilers v. Menu Foods
WAW 3 07-5204	Jeff Rusiecki v. Menu Foods
WAW 3 07-5205	Nancy Guthrie v. Menu Foods
WISCONSIN WESTERN	
WIW 3 07-159	Jacqueline Johnson v. The Procter & Gamble Co., et al.
WIW 3 07-248	Penny J. Roberts, et al. v. Menu Foods Income Fund, et al.

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DOCKET NO. 1850
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Harrisburg, PA 17108

Hon. Mary M. Lisi
Chief Judge, U.S. District Court
310 Federal Building & U.S. Courthouse
One Exchange Terrace
Providence, RI 02903-1270

Hon. Thomas W. Phillips
U.S. District Judge
145 Howard H. Baker, Jr. U.S. Courthouse
800 Market Street
Knoxville, TN 37902

Hon. John C. Coughenour
Senior U.S. District Judge
16229 U.S. Courthouse
700 Stewart Street
Seattle, WA 98101-1271

Hon. Robert S. Lasnik
Chief Judge, U.S. District Court
15128 U.S. Courthouse
700 Stewart Street
Seattle, WA 98101-1271

Hon. Ricardo S. Martinez
U.S. District Judge
13134 United States Courthouse
700 Stewart Street
Seattle, WA 98101-1271

Hon. Marsha J. Pechman
U.S. District Judge
14229 U.S. Courthouse
700 Stewart Street
Seattle, WA 98101-1290

Hon. James L. Robart
U.S. District Judge
14134 U.S. Courthouse
700 Stewart Street
Seattle, WA 98101-1290

Hon. Thomas S. Zilly
Senior U.S. District Judge
15229 U.S. Courthouse
700 Stewart Street
Seattle, WA 98101-1290

Hon. Robert J. Bryan
Senior U.S. District Judge
4427 U.S. Courthouse
1717 Pacific Avenue
Tacoma, WA 98402

Hon. Barbara B. Crabb
Chief Judge, U.S. District Court
United States District Court
P.O. Box 591
Madison, WI 53701-0591

INVOLVED CLERKS LIST (CTO-1)
DOCKET NO. 1850
IN RE PET FOOD PRODUCTS LIABILITY LITIGATION

James W. McCormack, Clerk
402 U.S. Courthouse
600 West Capitol Avenue
Little Rock, AR 72201-3325

Christopher R. Johnson, Clerk
523 John Paul Hammerschmidt
Federal Building
35 East Mountain Street
Fayetteville, AR 72701-6420

Sherri R. Carter, Clerk
G-8 U.S. Courthouse
312 North Spring Street
Los Angeles, CA 90012

Jack L. Wagner, Clerk
4-200 U.S. Courthouse
501 I Street
Sacramento, CA 95814-2322

Richard W. Wieking, Clerk
Phillip Burton U.S. Courthouse
Box 36060
450 Golden Gate Avenue
San Francisco, CA 94102-3489

W. Samuel Hamrick, Jr., Clerk
4290 Edward J. Schwartz Federal
Building
880 Front Street
San Diego, CA 92101-8900

Gregory C. Langham, Clerk
A105 Alfred A. Arraj U.S. Courthouse
901 19th St.
Denver, CO 80294-3589

Sheryl L. Loesch, Clerk
300 George C. Young U.S.
Courthouse
80 North Hughey Avenue
Orlando, FL 32801

Clarence Maddox, Clerk
Federal Courthouse Square
301 North Miami Avenue
Miami, FL 33128-7788

Cameron S. Burke, Clerk
Fed. Bldg. & U.S. Courthouse
MSC 039
550 West Fort Street
Boise, ID 83724

Michael W. Dobbins, Clerk
Everett McKinley Dirksen
U.S. Courthouse
219 South Dearborn Street
Chicago, IL 60604

Sarah Thornton, Clerk
Clerk's Office - Attn: Sherry Jones
U.S. District Court
595 Main Street
Worcester, MA 01608

Linda L. Jacobson, Clerk
Edward T. Gignoux U.S.
Courthouse
156 Federal Street
Portland, ME 04101

Richard Sletten, Clerk
202 U.S. Courthouse
300 South Fourth Street
Minneapolis, MN 55415

Patricia L. Brune, Clerk
2710 Charles Evans Whittaker
U.S. Courthouse
400 E. Ninth Street
Kansas City, MO 64106

J.T. Noblin, Clerk
316 James O. Eastland U.S.
Courthouse
245 East Capitol Street
Jackson, MS 39201

Lance S. Wilson, Clerk
Bruce R. Thompson U.S. Cthse.
& Fed. Bldg., Suite 301
400 South Virginia Street
Reno, NV 89501

J. Michael McMahon, Clerk
Daniel Patrick Moynihan U.S.
Courthouse
500 Pearl Street
New York, NY 10007-1312

Geri M. Smith, Clerk
United States District Court
2-161 Carl B. Stokes U.S. Courthouse
801 West Superior Avenue
Cleveland, OH 44113

Mary E. D'Andrea, Clerk
P.O. Box 983
Harrisburg, PA 17108-0983

David A. DiMarzio, Clerk
356 John O. Pastore Federal Building
Two Exchange Terrace
Providence, RI 02903

Patricia L. McNutt, Clerk
130 Howard H. Baker Jr. U.S.
Courthouse
800 Market Street
Knoxville, TN 37902

Bruce Rifkin, Clerk
U.S. Courthouse
700 Stewart Street
Seattle, WA 98101

Joseph W. Skupniewitz, Clerk
U.S. District Court
P.O. Box 432
Madison, WI 53701-0432